

RCE/3763

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PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/665,303
	Filing Date	September 19, 2000
	First Named Inventor	John T. Santini, Jr.
	Group Art Unit	3763
	Examiner Name:	A.T. Nguyen
	Attorney Docket Number	17648-0014

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply **08/23/2004 AWONDAF1 00000045 09665303**
- ii. ☒ Affidavit(s)/Declaration(s) **01 FC:1801 770.00 OP**
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) (\$770/\$385) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ Checks in the amount of \$770.00 and \$840.00 are enclosed for the following fees:
- i. ☒ RCE fee under 37 C.F.R. § 1.17(e), REQUIRED when filing the RCE.
- ii. ☒ Extension of time fee under 37 C.F.R. 1.136 and 1.17.
- b. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to Deposit Account No. 19-5029.

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Type Name	Kevin W. King	Reg. No.: 42,737
Signature	<i>Kevin W. King</i>	Date: August 16, 2004

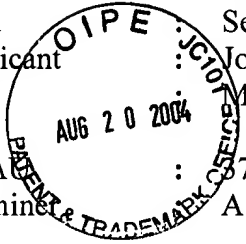
### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Type Name	Kevin W. King	
Signature	<i>Kevin W. King</i>	Date: August 16, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No. : 09/665,303  
Filed : September 19, 2000  
Applicant : John T. Santini, Jr., et al.  
Title : Microchip Drug Delivery Devices  
TC/A : 8763  
Examiner : A.T. Nguyen  
Docket No. : 17648-0014  
Customer No. : 29052



**RCE SUBMISSION AND  
RESPONSE TO OFFICE ACTION**

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Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Advisory Action mailed June 24, 2004, and the Office Action mailed on February 25, 2004, applicants herewith submit a Response, a Rule 132 Declaration, and a Request for Continued Examination (RCE) pursuant to Rule 1.114, along with the appropriate fees therefor. This RCE should be treated as a request to withdraw the appeal and reopen prosecution of the application before the examiner, pursuant to 37 C.F.R. 1.114(d). The Rule 132 Declaration is new evidence in support of patentability.